



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 09/07/2021

**Minutes of the Town Council Meeting
August 17, 2021**

The Town Council of the Town of Los Gatos conducted a regular meeting in person and provided the public an opportunity to participate either in public or via Teleconference on Tuesday, August 17, 2021, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:00 P.M.

ROLL CALL

Present: Mayor Marico Sayoc, Vice Mayor Rob Rennie, Council Member Mary Badame, Council Member Matthew Hudes, Council Member Maria Ristow.

Absent: None

COUNCIL/TOWN MANAGER REPORTS

Council Matters

- Vice Mayor Rennie stated he attended the Bay Area Air Quality Management District (BAAQMD) Board meeting; Green Foothills Coyote Valley webinar; Silicon Valley Clean Energy Authority (SVCEA) Risk Oversight Committee, Board, Legislative and Regulatory Committee meetings; Breathe California Show as a guest; Town Finance Commission meeting; Sierra Club Interview; Reid-Hillview Airport Airborne Lead Study webinar; Silicon Valley Bike Coalition Summit; Silicon Valley Housing Policy Leadership Academy; Valley Transportation Authority (VTA) Policy Advisory Committee meeting; and the Association of Indo Americans 75th Independence Day celebration.
- Council Member Hudes stated he attended the Town Finance Commission meeting; Intergovernmental Infrastructure briefing; and Thursday Night promenade events.
- Council Member Badame stated she attended two Democracy Tent community meetings; Town Finance Commission meeting as an observer; Stand in Solidary with Survivors of Sexual Violence march and rally; and Thursday Night Promenade events.
- Council Member Ristow stated she had nothing to report.
- Mayor Sayoc stated she attended the Santa Clara Cities Association meeting and a Quarterly meeting with the Los Gatos Chamber of Commerce.

Manager Matters

- Announced the Housing Element Advisory Board recruitment is underway; applications are due on September 10 by 4:00 p.m.
- Announced the Town counters will open for walk-in services beginning August 30.
- Announced the Let's Talk Housing Community Meeting will be held on Wednesday, Aug 18.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

1. Approve Closed Session Minutes of the August 3, 2021 Town Council Meeting.
2. Approve Minutes of the August 3, 2021 Town Council Meeting.
3. Receive the Fourth Quarter Investment Report (April through June 2021) for Fiscal Year 2020/21.
4. Appoint Mayor Marico Sayoc as the Town's Voting Delegate and Vice Mayor Rob Rennie as the Town's Alternate for the League of California Cities Annual Conference Scheduled for September 20 - 24, 2021 in Sacramento.
5. Annexation Application AN21-001. Project Location: 16030 Winterbrook Road. Property Owner/Applicant: Alireza Zarrabi.
Adopt a resolution to set a date for consideration of the reorganization of an uninhabited area designated as Winterbrook No. 6, approximately 0.319 Acres on property pre-zoned R-1:8. APN 523-26-013. **RESOLUTION 2021-037**
6. Authorize the Town Manager to Execute an Agreement for Consultant Services with O'Brien Code Consulting, Inc. for Building Division Plan Check Consultant Services.
7. Authorize the Town Manager to execute an Agreement for Consultant Services with Interwest Consulting Group for Supplemental Building Division Plan Check Consultant Services.
8. Authorize the Town Manager to execute a Second Amendment for a time extension only for an Agreement for Consultant Services with Mintier Harnish for Preparation of the General Plan update and Environmental Impact Report.
9. Authorize the Town Manager to Execute the First Amendment to the Consultant Services Agreement with Mott MacDonald Group, Inc. for the Los Gatos Creek Trail to Highway 9 Trailhead Connector Project (CIP No. 832-4505) in an Amount Not to Exceed \$90,000 for a Total Contract Amount of \$576,747.

Opened public comment.

No one spoke.

Closed public comment.

MOTION: Motion by Council Member Badame to approve Consent Items 1-9. Seconded by Council Member Ristow.

VOTE: Motion passed unanimously.

VERBAL COMMUNICATIONS

Susan Burnett-Novick

- Commented in opposition of increasing housing density especially in established neighborhoods.

Verbal Communications - continued

Lee Fagot

- Requested the Finance Commission or a new committee be tasked with researching cannabis tax as a potential revenue source; commented in opposition of the Town Attorney researching cannabis tax as a potential source of revenue.

Mr. C.

- Commented in opposition of Critical Race Theory (CRT).

Rob Moore

- Commented in support of increasing housing opportunities.

Eden

- Commented in opposition of the rainbow crosswalks, CRT, and the listen, learn, change, grow campaign and requested Mayor Sayoc resign.

Lynley Hogan

- Commented in opposition of "LGBTQ" as an organization.

Tony Alarcon

- Commend in opposition of adding more housing due to fire safety hazard.

Cecil

- Commented in opposition of CRT opposers.

Joe

- Commented in support of the environment and requested Los Gatos Creek clean-up assistance.

OTHER BUSINESS

10. Approve Addendum to the American Federation of State, County and Municipal Employees Memorandum of Understanding.

Lisa Velasco, Human Resources Director, presented the staff report.

Opened public comment.

No one spoke.

Closed public comment.

Other Business item #10 - continued

Council discussed the item.

MOTION: Motion by Council Member Badame to approve an addendum to the American Federation of State, County and Municipal Employees Memorandum of Understanding as contained in Attachment 1. **Seconded by Vice Mayor Rennie.**

VOTE: Motion passed unanimously.

11. Discuss and Provide Direction on the Following Actions to Continue the Town's Support of Economic Recovery and Community Vitality in Response to the Ongoing COVID-19 Pandemic, Including:
 - a. Temporary Krail Parklets:
 1. Extend Sunset Date for Dining Establishments until January 31, 2022 and Approve a Budget Adjustment of \$40,000 from American Rescue Plan (ARPA);
 2. Provide Direction on Temporary Tents and Other Weather Protection Structures, Including Enforcement;
 - b. Semi-Permanent Parklets:
 1. Allocate Additional Funding of \$680,000 from the Town's ARPA Allocation to Meet the Response of Businesses to the Subsidized Parklet and Grant Application Process; and
 - c. Debrief the Chamber of Commerce's Thursday Night Promenade Events in which the Town Provided Financial Support.

Monica Renn, Economic Vitality Manager, presented the staff report.

Opened public comment.

Amy Davis, NUMU

- Commented in support of extending the promenade events.

Catherine Somers, Chamber of Commerce Executive Director

- Commented in support of the item and extending promenade style events for Summer 2022.

Closed public comment.

Council discussed the item.

Other Business item #11 - continued

MOTION: Motion by Vice Mayor Rennie to approve an extended krail parklet sunset date for dining establishments until January 31, 2022 and approve a budget adjustment of \$40,000 from American Rescue Plan (ARPA). **Seconded by Council Member Hudes.**

VOTE: Motion passed unanimously.

MOTION: Motion by Council Member Badame to continue to disallow vertical barriers, banner, or shades of any kind, and temporary tents and other weather protection covers except for umbrellas and movable sail-type shade covers and those already permitted within the temporary krail parklets through the duration of the temporary krail parklet program; enforce these requirements through typical Code Compliance practices; and allow vertical components between parklets no taller than krail. **Seconded by Council Member Hudes.**

VOTE: Motion passed 4/1, Vice Mayor Rennie opposed.

MOTION: Motion by Vice Mayor Rennie to allocate additional funding of \$680,000 from the Town's ARPA allocation to meet the response of businesses to the Subsidized Parklet and Grant application process and to bring the item back to Council in three (3) months for updates. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

The Town Council provided a debrief regarding the Thursday Night Promenade events.

The meeting recessed at 8:57 p.m. and began again at 9:07 p.m.

12. Review the Fiscal Year 2021/22 – 2025/26 Capital Improvement Program Budget and Determine Any Additional Investments Based on Additional Funding Allocated for Capital Purposes.

Matt Morley, Parks and Public Works Director, presented the staff report.

Opened public comment.

Maureen Capon-Javey, Arts and Cultural Commission

- Commented in support of allocating funding for the two Public Arts projects.

Tom Spilsbury, Arts and Cultural Commission

- Commented in support of allocating funding for the two Public Arts projects.

Other Business item #12 - continued

Ellis Wecker, Arts and Cultural Commission

- Commented in support of allocating funding for the two Public Arts projects.

Amy Fausnacht, Arts and Cultural Commission

- Commented in support of allocating funding for the two Public Arts projects.

Kevin Arroyo

- Commented in support of allocating funding for the Union Avenue Community Garden project.

Lynley Hogan

- Requested other art installations to be considered if funding were allocated to the Public Arts projects.

Mr. C

- Commented in opposition of the proposed Public Art projects.

Closed public comment.

Council discussed the item.

MOTION: Motion by Vice Mayor Rennie to return to Council with designs, including pricing, for security enhancements at the Civic Center; allocate \$35,000 for the Union Avenue Community Garden project, \$32,000 for two public art projects and seek additional community input, \$75,000 for the Lynne Avenue Pedestrian Path Design, \$200,000 for Blossom Hill Road Traffic Calming, and \$400,000 for Downtown Parking Signage; and utilize \$500,000 during the 2021 winter season for fire fuel reduction but retain \$250,000 for FEMA match. **Seconded by Council Member Ristow.**

VOTE: Motion passed unanimously.

13. Authorize the Town Manager to Execute Agreements for Justice, Equity, Diversity, and Inclusion (JEDI) Consultant Services:

- a. American Leadership Forum Silicon Valley Insights (ALF) for External Community Efforts with an Expenditure Budget Adjustment in the Amount of \$54,000 from the General Fund Capital/Special Projects Reserve and
- b. ReadySet for Internal Town Organizational Work with an Expenditure Budget Adjustment in the Amount of \$50,000 from the General Fund Capital/Special Projects Reserve.

Other Business item #13 - continued

Holly Zappala, Administrative Analyst, presented the staff report.

Opened public comment.

Lynley Hogan

- Commented in opposition of the item.

Mr. C

- Commented in opposition of the item.

Rob Moore

- Commented in support of the item.

Amy Davis, NUMU Executive Director

- Commented in support if the item.

Kefi

- Commented in opposition of the item.

Closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Badame to authorize the Town Manager to execute agreements for justice, equity, diversity, and inclusion (JEDI) consultant services with American Leadership Forum Silicon Valley Insights (ALF) for external community efforts with an expenditure budget adjustment in the amount of \$54,000 from the General Fund Capital/Special Projects Reserve and ReadySet for internal town organizational work with an expenditure budget adjustment in the amount of \$50,000 from the General Fund Capital/Special Projects Reserve. **Seconded by Council Member Hudes.**

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

14. Introduction and First Reading of an Ordinance Amending the Los Gatos Town Code to Include Gender-Neutral Pronouns by Eliminating any Gender Preference Language Within the Los Gatos Town Code and Amending Sections Regarding Grammatical Interpretation to Indicate that Whenever a Gender-Neutral Personal Pronoun is Used, it Shall be Deemed to Include the Feminine and Masculine Also.

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Public Hearing item #14 - continued

Shelley Neis, Town Clerk, presented the staff report.

Opened public comment.

Suzanne

- Commented in opposition of the item.

Closed public comment.

Council discussed the item.

MOTION: Motion by Council Member Ristow to introduce an ordinance amending the Los Gatos Town Code to include gender-neutral Pronouns by Eliminating any Gender Preference Language Within the Los Gatos Town Code and amending sections regarding grammatical interpretation to indicate that whenever a gender-neutral personal pronoun is used, it shall be deemed to include the feminine and masculine also, by title only. **Seconded by Vice Mayor Rennie.**

VOTE: Motion passed unanimously.

The Town Clerk read the title of the ordinance.

VERBAL COMMUNICATIONS

No one spoke.

ADJOURNMENT

The meeting adjourned at 11:15 p.m.

Submitted by:

/s/ Jenna De Long, Deputy Clerk